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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/821,608	04/09/2004	Anuraag Agrawal	CING-0648/887.US	1558
54499 7590 03/12/2009 AT&T Legal Department - WW Patent Docketing Room 2A-207 One AT&T Way Bedminster, NJ 07921				
EXAMINER				
TIV, BACKHEAN				
ART UNIT		PAPER NUMBER		
2451				
MAIL DATE		DELIVERY MODE		
03/12/2009		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/821,608

Applicant(s)

AGRAWAL ET AL.

Examiner

BACKHEAN TIV

Art Unit

2451

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on RCE 1/12/09.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-40 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-40 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SI/02)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

Detailed Action

Claims 1-40 are pending in this application. This is a response to the
Amendment/Remarks/RCE filed on 1/12/09.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all
obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-3,6-8,11-19, are rejected under 35 U.S.C. 103(a) as being unpatentable
over CNN.com webpage from 1/29/03(CNN) in view of US Publication 2004/0087326
issued to Dunko et al.(Dunko) in further view of US Publication 2004/0039781 issued to
LaVallee et al.(LaVallee) in further view of US Patent 7,277,733 issued to Ko et al.(Ko).

As per claim 1, CNN teaches receiving a request message, wherein the request
message is generated, at least in part, by the content provider, the request message
comprising: information identifying the content sharing system, and information
identifying content provided by the content provider, wherein the user selected the
identified content as content that the user wishes to share with the recipient(Fig.1-3);
providing a user input form for display to the user, wherein the user input form includes
a request for the user to identify the recipient(Fig.1-3); receiving user input information
submitted by the user via the user input form and based on the received information,
generating a content share message for transmittal to the mobile device of the recipient,
wherein the content share message includes an indication of the identified content that

the user wishes to share with the recipient, so that the content can be presented on the mobile device of the recipient(Fig.1-3; the user is sent an email to view the webpage).

CNN does not explicitly teach telecommunications system having at least one network gateway coupled among multiple mobile devices and a network, and wherein a content sharing system and a content provider are also coupled to the network, a method of sharing content between a user and a recipient, both of whom have a mobile device having access to the network and determining that the recipient is one of a subscriber to a service associated with the content sharing system and a subscriber to a second telecommunications system; and based on at least on at least one of the received information and the determination that the recipient is one of the subscriber to the service associated with the content sharing system and the subscriber to the second telecommunication system, if the recipient is the subscriber to the service associated with the content sharing system, generating the content share message in a first protocol, and if the recipient is the subscriber to the second telecommunication system, generating the content share message in a second protocol.

Dunko teaches an a telecommunications system having at least one network gateway coupled among multiple mobile devices and a network, and wherein a content sharing system and a content provider are also coupled to the network, a method of sharing content between a user and a recipient, both of whom have a mobile device having access to the network(Fig.1, Fig.2).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN to include sending content to users in a

mobile environment as taught by Dunko in order to send content to mobile users(Dunko, Abstract).

One ordinary skill in the art at the time of the invention would have been motivated to combine the teachings of Dunko and CNN in order to provide a system to send content to mobile users(Dunko, Abstract).

CNN in view of Dunko does not explicitly teach determining that the recipient is one of a subscriber to a service associated with the content sharing system and a subscriber to a second telecommunications system; and based on at least on at least one of the received information and the determination that the recipient is one of the subscriber to the service associated with the content sharing system and the subscriber to the second telecommunication system, if the recipient is the subscriber to the service associated with the content sharing system, generating the content share message in a first protocol, and if the recipient is the subscriber to the second telecommunication system, generating the content share message in a second protocol.

LaVallee teaches determining that the recipient is **one of** a subscriber to a service associated with the content sharing system and a subscriber to a second telecommunications system; and based on at least on at least one of the received information and the determination that the recipient is one of the subscriber to the service associated with the content sharing system and the subscriber to the second telecommunication system (para.0035, authentication of user, by having the correct password and user name, it is considered to be determining a subscriber to a service associated with the content sharing system.)

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN in view of Dunko to include determining that the recipient is **one of** a subscriber to a service associated with the content sharing system and a subscriber to a second telecommunications system; and based on at least on at least one of the received information and the determination that the recipient is one of the subscriber to the service associated with the content sharing system and the subscriber to the second telecommunication system as taught by LaVallee in order to share content for authorized users.

One ordinary skill in the art would have been motivated to combine the teachings of CNN, Dunko, and LaVallee in order to share content for authorized users.

CNN in view of Dunko in further view of LaValle does not explicitly teach if the recipient is the subscriber to the service associated with the content sharing system, generating the content share message in a first protocol, and if the recipient is the subscriber to the second telecommunication system, generating the content share message in a second protocol. LaValle does teach sending queued messages to the client.

Ko explicitly teaches sending a message using UDP.

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN in view of Dunko in further view of LaValle to include sending a message with a first protocol as taught by Ko in order to receive information in a certain protocol.

One ordinary skill in the art would have been motivated to combine the teachings of CNN, Dunko, LaValle, and Ko in order to receive information in a certain protocol.

As per claim 2, the method of claim 1 wherein the user selected the identified content from the mobile device of the user(CNN, Figs.1-3, Dunko, para.0025).

Motivation to combine set forth in claim 1.

As per claim 3, the method of claim 1 wherein the user selected the identified content from a device other than a mobile device(CNN, Figs.1-3, Dunko, para.0025).

Motivation to combine set forth in claim 1.

As per claim 6, the method of claim 1 further comprising providing access to an address book application coupled to the content sharing system, wherein the address book application facilitates the user's identification of the recipient(CNN, Figs.1-3, Dunko, para.0025). Motivation to combine set forth in claim 1.

As per claim 7, the method of claim 1 further comprising authenticating the user and as per claim 8, the method of claim 1 further comprising authenticating the recipient(LaVallee, para.0035). Motivation to combine set forth in claim 1.

As per claim 11, the method of claim 1 wherein the received request message is in the form of an HTTP GET request(LaVallee, para.0028). Motivation to combine set forth in claim 1.

As per claim 12, CNN teaches means for sending a request message to a content sharing system; user-selectable option to facilitate, wherein the request message is based on information associated with the user-selectable option; means for receiving a user input form from the content sharing system, wherein the user input form

is configured to obtain user input identifying recipients for the shared content; and means for sending information associated with the completed user input form to the content sharing system(Fig.1-3).

CNN does not explicitly teach mobile device registered with a mobile service provider, the mobile device comprising: means for receiving user input; means for providing output; memory means; radio transceiver and processing means coupled to the memory means; and wherein the mobile device is smaller than a laptop or tablet computer, and further comprises: means for presenting content via an output component of the mobile device, wherein the content is provided by a content provider and sharing the content with other mobile device users; wherein the content sharing system determines that each of the identified recipients is one of a subscriber to a service associated with the content sharing system and a subscriber to a second mobile service provider, and generates a content sharing message based on the determination, wherein if an identified recipient is the subscriber to the service associated with the content sharing system, generating the content share message in a first protocol, and if the identified is the subscriber to the second telecommunication system, generating the content share message in a second protocol.

Dunko teaches mobile device registered with a mobile service provider, the mobile device comprising: means for receiving user input(Figs.1-16); means for providing output; memory means(Figs.1-16); radio transceiver and processing means coupled to the memory means; and wherein the mobile device is smaller than a laptop or tablet computer(Figs.1-16), and further comprises: means for presenting content via

an output component of the mobile device, wherein the content is provided by a content provider and sharing the content with other mobile device users(para. 0004,0042,0044); (para. 0004,0042,0044).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN to include sending content to users in a mobile environment as taught by Dunko in order to send content to mobile users(Dunko, Abstract).

One ordinary skill in the art at the time of the invention would have been motivated to combine the teachings of Dunko and CNN in order to provide a system to send content to mobile users(Dunko, Abstract).

CNN in view of Dunko does not explicitly teach wherein the content sharing system determines that each of the identified recipients is one of a subscriber to a service associated with the content sharing system and a subscriber to a second mobile service provider, and generates a content sharing message based on the determination, wherein if an identified recipient is the subscriber to the service associated with the content sharing system, generating the content share message in a first protocol, and if the identified is the subscriber to the second telecommunication system, generating the content share message in a second protocol.

LaVallee teaches wherein the content sharing system determines that each of the identified recipients is one of a subscriber to a service associated with the content sharing system and a subscriber to a second mobile service provider, and generates a content sharing message based on the determination (para.0035, authentication of

user, by having the correct password and user name, it is considered to be determining a subscriber to a service associated with the content sharing system.)

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN in view of Dunko to include wherein the content sharing system determines that each of the identified recipients is one of a subscriber to a service associated with the content sharing system and a subscriber to a second mobile service provider, and generates a content sharing message based on the determination as taught by LaVallee in order to share content for authorized users.

One ordinary skill in the art would have been motivated to combine the teachings of CNN, Dunko, and LaVallee in order to share content for authorized users.

CNN in view of Dunko in further view of LaValle does not explicitly teach if and identified recipient is the subscriber to the service associated with the content sharing system, generating the content share message in a first protocol, and if the identified is the subscriber to the second telecommunication system, generating the content share message in a second protocol. LaValle does teach sending queued messages to the client.

Ko explicitly teaches sending a message using UDP.

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN in view of Dunko in further view of LaValle to include sending a message with a first protocol as taught by Ko in order to receive information in a certain protocol.

One ordinary skill in the art would have been motivated to combine the teachings of CNN, Dunko, LaValle, and Ko in order to receive information in a certain protocol.

As per claim 13, the mobile device of claim 12 further comprising means for, after sending the information associated with the completed user input form, receiving a message indicating the status of the request sent to the content sharing system(CNN, Figs.1-3, Dunko, para.0045). Motivation to combine set forth in claim 12.

As per claim 14, the mobile device of claim 12 further comprising means for, after sending the information associated with the completed user input form, representing the content via the output component(CNN, Figs.1-3, Dunko, Figs.1-16). Motivation to combine set forth in claim 12.

As per claim 15, the mobile device of claim 12 further comprising means for presenting information from an address book application, wherein the address book application facilitates the identifying of recipients for the shared content in combination with the user input form(CNN, Figs.1-3). Motivation to combine set forth in claim 12.

As per claim 16, the mobile device of claim 12 wherein the largest dimension of the mobile device is smaller than twelve inches or does not have a full size keyboard that can accommodate both hands of a user(CNN, Figs.1-3, Dunko, Figs.1-16). Motivation to combine set forth in claim 12.

As per claim 17, CNN teaches generating a user-selectable share content option; the user-selectable share content option is based on an application program interface provided in association with a content sharing application of the first mobile service provider(Fig.1-3).

CNN does not explicitly teach at a content provider system, a method of sharing content among users of fmobile devices interconnected within one or more mobile telecommunication networks, wherein at least some of the users subscribe to a mobile service provided by a first mobile service provider, the method comprising: as part of content available for access by users of mobile devices, sharing the content with other users of mobile devices, and wherein; and providing the content, to a device of a user, wherein the content can then be shared with a recipient device via the content sharing application of the mobile service provider; receiving a request to share the content with the recipient device; determining that the recipient device is one of a subscriber to a service associated with the content sharing system and a subscriber to a second mobile service provider; and based on the determination that the recipient device is one of the subscriber to the service associated with the content sharing system and the subscriber to the second mobile service provider, generating a content share message for transmittal to the recipient device, wherein if the recipient device is the subscriber to the service associated with the content sharing system, generating the content share message in a first protocol, and if the recipient device is the subscriber to the second mobile service provider, generating the content share message in a second protocol.

Dunko teaches at a content provider system, a method of sharing content among users of mobile devices interconnected within one or more mobile telecommunication networks, wherein at least some of the users subscribe to a mobile service provided by a mobile service provider(Figs.1-16), the method comprising: as part of content available for access by users of mobile devices, sharing the content with other users of

mobile devices, and wherein; and providing the content, to a device of a user, wherein the content can then be shared with a recipient device via the content sharing application of the mobile service provider; receiving a request to share the content with the recipient device(para. 0004,0042,0044).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN to include sending content to users in a mobile environment as taught by Dunko in order to send content to mobile users(Dunko, Abstract).

One ordinary skill in the art at the time of the invention would have been motivated to combine the teachings of Dunko and CNN in order to provide a system to send content to mobile users(Dunko, Abstract).

CNN in view of Dunko does not explicitly teach determining that the recipient device is one of a subscriber to a service associated with the content sharing system and a subscriber to a second mobile service provider; and based on the determination that the recipient device is one of the subscriber to the service associated with the content sharing system and the subscriber to the second mobile service provider, generating a content share message for transmittal to the recipient device, wherein if the recipient device is the subscriber to the service associated with the content sharing system, generating the content share message in a first protocol, and if the recipient device is the subscriber to the second mobile service provider, generating the content share message in a second protocol.

LaVallee teaches determining that the recipient device is one of a subscriber to a service associated with the content sharing system and a subscriber to a second mobile service provider; and based on the determination that the recipient device is one of the subscriber to the service associated with the content sharing system and the subscriber to the second mobile service provider, generating a content share message for transmittal to the recipient device (para.0024,0035, authentication of user, must be logged-on in order to receive invites to access contents)

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN in view of Dunko to include determining that the recipient device is one of a subscriber to a service associated with the content sharing system and a subscriber to a second mobile service provider; and based on the determination that the recipient device is one of the subscriber to the service associated with the content sharing system and the subscriber to the second mobile service provider, generating a content share message for transmittal to the recipient device as taught by LaVallee in order to share content for authorized users.

One ordinary skill in the art would have been motivated to combine the teachings of CNN, Dunko, and LaVallee in order to share content for authorized users.

CNN in view of Dunko in further view of LaValle does not explicitly teach wherein if the recipient device is the subscriber to the service associated with the content sharing system, generating the content share message in a first protocol, and if the recipient device is the subscriber to the second mobile service provider, generating the

content share message in a second protocol. LaValle does teach sending queued messages to the client.

Ko explicitly teaches sending a message using UDP.

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN in view of Dunko in further view of LaValle to include sending a message with a first protocol as taught by Ko in order to receive information in a certain protocol.

One ordinary skill in the art would have been motivated to combine the teachings of CNN, Dunko, LaValle, and Ko in order to receive information in a certain protocol.

As per claim 18, the method of claim 17 wherein the user-selectable share content option is implemented as a link that, when selected, results in a request message being sent to the content sharing application of the mobile service provider(CNN, Figs.1-3). Motivation to combine set forth in claim 17.

As per claim 19, the method of claim 17 wherein the content available for access by users of mobile devices is an executable application(Dunko, Figs.1-16, para.0004, CNN, Figs.1-3). Motivation to combine set forth in claim 17.

Claims 4,5,10 are rejected under 35 U.S.C. 103(a) as being unpatentable over CNN.com webpage from 1/29/03(CNN) in view of US Publication 2004/0087326 issued to Dunko et al.(Dunko) in further view of US Publication 2004/0039781 issued to LaVallee et al.(LaVallee) in further view of US Patent 7,277,733 issued to Ko et al.(Ko) in further view of Office Notice.

CNN in view of Dunko in further view of LaVallee in further view of Ko does not explicitly teach as per 4, the method of claim 1 wherein the content sharing system is associated with a wireless carrier and wherein the wireless carrier provides mobile service for the mobile device of the recipient, and as per claim 5, the method of claim 1 wherein the content sharing system is associated with a wireless carrier and wherein the wireless carrier does not provide mobile service for the mobile device of the recipient.

Office Notice is taken. It is well known to one ordinary skill in the art at the time of the invention that there are different wireless carrier provider that provides service to users. The sender and recipient of the content can use the same wireless provider or they can be with different wireless provider. Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN in view of Dunko in further view of LaVallee in further view of Ko to include using either the same or different wireless service provider for users in the network in order to provide a system that does not limit users to one carrier provider.

One ordinary skill in the art at the time of the invention would have been motivated combine the teachings of CNN, Dunko, LaVallee, Ko and to either use the same or different wireless provider in order for users in the network in order to provide a system that does not limit users to one carrier provider.

CNN in view of Dunko in further view of LaVallee in further view of Ko does not explicitly teach as per as per claim 10, the method of claim 1 wherein the user input

form provided for display to the user includes a listing of a predetermined number of recipients with whom the user recently shared content.

Office Notice is taken. It is well known to one ordinary skill in the art at the time of the invention to provide a list of recipients that the user have shared content with (e.g. sent list of SMS messages in a user's mobile phone). Therefore it would have been obvious to one ordinary skill in the art to modify the teachings of CNN in view of Dunko in further view of LaVallee in further view of Ko to include a list of recently sent messages in order for the user to keep track of who he/she has sent messages to.

One ordinary skill in the art at the time of the invention would have been motivated combine the teachings of CNN, Dunko, LaVallee, Ko and to have a list of recently sent messages in order to provide a system where a user can keep track of recently sent messages.

Claim 9 are rejected under 35 U.S.C. 103(a) as being unpatentable over CNN.com webpage from 1/29/03(CNN) in view of US Publication 2004/0087326 issued to Dunko et al.(Dunko) in further view of US Publication 2004/0039781 issued to LaVallee et al.(LaVallee) in further view of US Patent 7,277,733 issued to Ko et al.(Ko) in further view of US Publication 2003/0026432 issued to Woodward.

CNN in view of Dunko in further view of LaVallee in further view of Ko does not explicitly teach as per claim 9, the method of claim 1 further comprising determining whether the user has exceeded a predetermined threshold for sharing content.

Woodward teaches determining whether the user has exceeded a predetermined threshold for sharing content(Abstract).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN in view of Dunko in further view of LaVallee in further view of Ko to include determining whether the user has exceeded a predetermined threshold for sharing content as taught by Woodward in order for piracy protection of content.

One ordinary skill in the art would have been motivated to combine the teachings of Dunko, LaVallee CNN, Ko, and Woodward in order for piracy protection of content.

Claims 20 are rejected under 35 U.S.C. 103(a) as being unpatentable over U CNN.com webpage from 1/29/03(CNN) in view of US Publication 2004/0087326 issued to Dunko et al.(Dunko) in further view of US Publication 2004/0039781 issued to LaVallee et al.(LaVallee) in further view of US Publication 2004/0186883 issued to Nyman et al.(Nyman).

CNN in view of Dunko in further view of LaVallee in further view of Ko does not explicitly teach as per claim 20, the method of claim 17 wherein the content available for access by users of mobile devices is an executable MIDP application.

Nyman teaches as per claim 20, the method of claim 17 wherein the content available for access by users of mobile devices is an executable MIDP application(para.0047).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN in view of Dunko in further view of LaVallee in further view of Ko to include wherein the content available for access by users of mobile devices is an executable MIDP application as taught by Nyman in order to view different webpages.

One ordinary skill in the art would have been motivated to combine the teachings of CNN, Dunko, LaVallee, Ko, Nyman in order to provide a system to users to view webpages that have different markup languages.

Claim 21,22,24, are rejected under 35 U.S.C. 103(a) as being unpatentable over US Publication 2004/0087326 issued to Dunko et al.(Dunko) in view of US Patent 6,047,327 issued to Tso et al.(Tso) in further view of US Publication 2004/0039781 issued to LaVallee et al.(LaVallee).

As per claim 21, Dunko teaches wireless service provider system for facilitating the sharing of content among mobile device users via one or more networks(Figs.1-16), the system comprising:

wherein the content sharing application receives and processes requests to share content among the mobile device users, and wherein the requests are received from customers of the wireless service provider system(Figs.1-16, para.0004,0042,0044); and

multiple network gateways for facilitating the communication between the content sharing application and the mobile device users, wherein at least one of the

multiple gateways is configured for facilitating communication between the content sharing application and mobile devices of the mobile device users via a mobile device telecommunication network, and wherein at least one of the multiple gateways is configured for facilitating communication between the content sharing application and computing devices connected via a public communication network(Figs.1-16, para.0004,0042,0044).

Dunko however does not explicitly teach a server computer; a database coupled to the server computer; a content sharing application running on the server computer and having access to the database; and wherein the at least one of the multiple gateways is configured to determining that each of the mobile devices is one of a subscriber to a service associated with the content sharing application and a subscriber to a second mobile device telecommunication.

Tso teaches a server computer; a database coupled to the server computer; a content sharing application running on the server computer and having access to the database(Fig.1col.14, lines 25-35).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Dunko to include a server computer; a database coupled to the server computer; a content sharing application running on the server computer and having access to the database as taught by Tso in order to distribute information among different users.

One ordinary skill in the art would have been motivated to combine the teachings of Dunko and Tso in order to distribute information among different users.

Dunko in view of Tso does not explicitly teach determining that each of the mobile devices is one of a subscriber to a service associated with the content sharing application and a subscriber to a second mobile device telecommunication.

LaVallee teaches determining that each of the mobile devices is one of a subscriber to a service associated with the content sharing application and a subscriber to a second mobile device telecommunication (para.0035, authentication of user)

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Dunko in view of Tso to include determining that each of the mobile devices is one of a subscriber to a service associated with the content sharing application and a subscriber to a second mobile device telecommunication as taught by LaVallee in order to share content for authorized users.

One ordinary skill in the art would have been motivated to combine the teachings of Tso, Dunko, and LaVallee in order to share content for authorized users.

As per claim 22, the system of claim 21 wherein the multiple network gateways include a mobile access gateway(Dunko, Figs.1-16).

As per claim 24, the system of claim 21 wherein the multiple network gateways include a short message peer-to-peer gateway(Tso, col.14, lines 25-35).

Claims 23,25-27, are rejected under 35 U.S.C. 103(a) as being unpatentable over US Publication 2004/0087326 issued to Dunko et al.(Dunko) in view of US Patent 6,047,327 issued to Tso et al.(Tso) in further view of US Publication 2004/0039781 issued to LaVallee et al.(LaVallee) in further view of Office Notice.

Dunko in view of Tso in further view of LaVallee does not explicitly teach as per claim 23, the system of claim 21 wherein the multiple network gateways include a push proxy gateway; as per claim 25, the system of claim 21 wherein the multiple network gateways include a wireless service broker.

Office Notice is taken. It well known in the art that push proxy and wireless service broker are common gateways in a wireless network.

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Dunko in view of Tso in further view of LaVallee to include different types of wireless gateways in order to send information from one mobile device to another.

One ordinary skill in the art would have been motivated to combine the teachings of Dunko, Tso, LaVallee and the user of different types of wireless gateways in a wireless network in order to provide a system to send information over a wireless network.

Dunko in view of Tso in further view of LaVallee does not explicitly teach as per claims 26, the system of claim 21 further comprising a cross-carrier application accessible by the content sharing application, wherein the cross-carrier application facilitates the sharing of content with recipients not registered with the content sharing application.

Office Notice is taken. It well known in the art to one ordinary skill in the art at the time of the invention that users of different wireless carrier can share content with one another.

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Dunko in view of Tso in further view of LaVallee to include sharing information among users with different wireless provider in order to provide a system where one is not limited to one wireless provider.

One ordinary skill in the art would have been motivated to combine the teachings of Dunko, Tso, LaVallee and sharing information among users with different wireless provider in order to provide a system where one is not limited to one wireless provider.

Dunko in view of Tso in further view of LaVallee does not explicitly teach as per claim 27, the system of claim 21 further comprising an address book application accessible by the content sharing application.

Office Notice is taken. It well known in the art to one ordinary skill in the art at the time of the invention that an application can access an address book for sharing.

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of Dunko in view of Tso in further view of LaVallee to include an application accessing an address book for sharing of content in order to provide a system where a user can send information to other users without having to remember their address.

One ordinary skill in the art would have been motivated to combine the teachings of Dunko, Tso, LaVallee, and an application accessing an address book for sharing of content in order to provide a system where a user can send information to other users without having to remember their address.

Claims 28,29,33-37 are rejected under 35 U.S.C. 103(a) as being unpatentable over CNN.com webpage from 1/29/03(CNN) in view of US Publication 2004/0087326 issued to Dunko et al.(Dunko) in further view of US Publication 2004/0039781 issued to LaVallee et al.(LaVallee)

As per claim 28, CNN teaches the data structure comprising: an indication of content to be shared, wherein the indication of the content to be shared is provided as a parameter associated with a display description provided by a content provider, user-selectable option; and a link associated with a server hosting the content sharing application, wherein the content sharing application receives information associated with the data structure as a result of a user selecting the user-selectable option on the provided display description(Figs.1-3).

CNN does not explicitly teaches computer-readable medium containing a data structure for facilitating sharing of content among users of mobile devices, and wherein the indication of the content to be shared is provided in a framework defined in a content sharing application of a mobile service provider; and wherein the content sharing application determines that the recipient device is one of a subscriber to a service associated with the content sharing system and a subscriber to a second mobile service provider.

Dunko teaches computer-readable medium containing a data structure for facilitating sharing of content among users of mobile devices(Figs.1-16), and wherein the indication of the content to be shared is provided in a framework defined in a content sharing application of a mobile service provider(para.0004,0042,0044).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN to include sending content to users in a mobile environment as taught by Dunko in order to send content to mobile users(Dunko, Abstract).

One ordinary skill in the art at the time of the invention would have been motivated to combine the teachings of Dunko and CNN in order to provide a system to send content to mobile users(Dunko, Abstract).

CNN in view of Dunko does not explicitly teach wherein the content sharing application determines that the recipient device is one of a subscriber to a service associated with the content sharing system and a subscriber to a second mobile service provider.

LaVallee teaches wherein the content sharing application determines that the recipient device is one of a subscriber to a service associated with the content sharing system and a subscriber to a second mobile service provider(para.0024,0035, authentication of user, must be logged-on in order to receive invites to access contents)

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN in view of Dunko to include wherein the content sharing application determines that the recipient device is one of a subscriber to a service associated with the content sharing system and a subscriber to a second mobile service provider as taught by LaVallee in order to share content for authorized users. send content to mobile users(Dunko, Abstract).

One ordinary skill in the art would have been motivated to combine the teachings of CNN, Dunko, and LaVallee in order to share content for authorized users.

As per claim 29, the computer-readable medium of claim 28 wherein the display description is implemented, at least in part, in HTML(CNN, Figs.1-3)

As per claim 33, the computer-readable medium of claim 28 further comprising an indication of uniform resource locator associated with the content to be shared(CNN, Figs.1-3).

As per claim 34, the computer-readable medium of claim 28 further comprising an indication of a specific uniform resource locator identifying an address for specific content to be shared(CNN, Figs.1-3).

As per claim 35, the computer-readable medium of claim 28 further comprising an indication of whether the content provider consents to providing access to the shared content to a cross-carrier user(LaVallee, para.0035). Motivation to combine set forth in claim 28.

As per claim 36, the computer-readable medium of claim 28 further comprising an indication of a return uniform resource locator identifying the address of the display description to which the user will be returned after performing a process associated with identifying recipients with whom to share content(CNN, Figs.1-3).

As per claim 37, CNN teaches providing an application program interface for content providers, wherein the application program interface provides a framework for content providers to customers, option for user to provide content; providing a content

sharing application, wherein the content sharing application receives and processes requests from the customers(Figs.1-3).

CNN does not explicitly teach a method for facilitating the sharing of content among users of mobile devices, the method comprising: a wireless service provider to share information with mobile device users; and of the wireless service provider to share content with the mobile device users; and wherein the content sharing application determines that each of the devices of the mobile devices users is one of a subscriber to a service associated with the content sharing system and a subscriber to a second wireless service provider.

Dunko teaches a method for facilitating the sharing of content among users of mobile devices(Figs.1-16), the method comprising: a wireless service provider to share information with mobile device users(Figs.1-16); and of the wireless service provider to share content with the mobile device users(para.0004,0042,0044).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN to include sending content to users in a mobile environment as taught by Dunko in order to send content to mobile users(Dunko, Abstract).

One ordinary skill in the art at the time of the invention would have been motivated to combine the teachings of Dunko and CNN in order to provide a system to send content to mobile users(Dunko, Abstract).

CNN in view of Dunko does not explicitly teach and wherein the content sharing application determines that each of the devices of the mobile devices users is one of a

subscriber to a service associated with the content sharing system and a subscriber to a second wireless service provider.

LaVallee teaches wherein the content sharing application determines that each of the devices of the mobile devices users is one of a subscriber to a service associated with the content sharing system and a subscriber to a second wireless service provider (para.0024,0035, authentication of user, must be logged-on in order to receive invites to access contents)

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN in view of Dunko to include wherein the content sharing application determines that each of the devices of the mobile devices users is one of a subscriber to a service associated with the content sharing system and a subscriber to a second wireless service provider as taught by LaVallee in order to share content for authorized users. send content to mobile users(Dunko, Abstract).

One ordinary skill in the art would have been motivated to combine the teachings of CNN, Dunko, and LaVallee in order to share content for authorized users.

Claims 30-32 are rejected under 35 U.S.C. 103(a) as being unpatentable over U CNN.com webpage from 1/29/03(CNN) in view of US Publication 2004/0087326 issued to Dunko et al.(Dunko) in further view of US Publication 2004/0039781 issued to LaVallee et al.(LaVallee) in further view of US Publication 2004/0186883 issued to Nyman et al.(Nyman).

CNN in view of Dunko in further view of LaVallee does not explicitly teach as per claims 30-32, the computer-readable medium of claim 28 wherein the display description is implemented, at least in part, in XML, XHTML, WML.

Nyman teaches as per claims 30-32, the computer-readable medium of claim 28 wherein the display description is implemented, at least in part, in XML, XHTML, WML(para.0040).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN in view of Dunko in further view of LaVallee to include wherein the content available for access by users of mobile devices is an executable MIDP application and wherein the display description is implemented, at least in part, in XML, XHTML, WML as taught by Nyman in order to view different webpages.

One ordinary skill in the art would have been motivated to combine the teachings of CNN, Dunko, LaVallee, Nyman in order to provide a system to users to view webpages that have different markup languages.

Claims 38-40 are rejected under 35 U.S.C. 103(a) as being unpatentable over CNN.com webpage from 1/29/03(CNN) in view of US Publication 2004/0087326 issued to Dunko et al.(Dunko) in further view of US Publication 2004/0039781 issued to LaVallee et al.(LaVallee) in further view of US Publication 2004/0193691 issued to Chang.

CNN in view of Dunko in further view of LaVallee does not explicitly teach as per claim 38, the method of claim 37 further comprising charging a fee to the content providers for providing the option for the customers of the wireless service provider to share information with the mobile device users.

Chang teaches charging a fee to the content providers for providing the option for the customers of the wireless service provider to share information with the mobile device users(para.0008).

Therefore it would have been obvious to one ordinary skill in the art at the time of the invention to modify the teachings of CNN in view of Dunko in further view of LaVallee to include charging a fee to the content providers for providing the option for the customers of the wireless service provider to share information with the mobile device users as taught by Chang in order to charge for use of a system.

One ordinary skill in the art would have been motivated to combine the teachings of CNN, Dunko, LaVallee, Chang in order to charge for use of a system.

As per claim 39, the method of claim 37 further comprising tracking attempts of the customers of the wireless service provider to share content with the mobile device users and charging a fee in association with the attempts(Chang, para.0008). Motivation to combine set forth in claim 38.

As per claim 40, the method of claim 37 further comprising providing incentives to customers of the wireless service provider to share content with the mobile device users(Chang, para.0029). Motivation to combine set forth in claim 38.

Response to Arguments

Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

As per claims 21-40 applicant's arguments filed 1/12/09 have been fully considered but they are not persuasive.

The applicant argues in substance, as per claims 21-40, that LaValle does not teach, "determining that each of the mobile devices is one of a subscriber to a service associated with the content sharing application and a subscriber to a second mobile device telecommunication network" or "determines that the recipient device is one of a subscriber to a service associated with the content sharing system and a subscriber to a second mobile service provider".

In reply); The claim language recites "determining that each of the mobile devices **is one** of a subscriber to a service associated with the content sharing application and a subscriber to a second mobile device telecommunication network" or "determines that the recipient device **is one of** a subscriber to a service associated with the content sharing system and a subscriber to a second mobile service provider".

The mobile devices does not have to be both a subscriber to a service associated with the content sharing application and a subscriber to a second mobile device telecommunication network since it is "one of". With the broadest interpretation, the Office can interpret the claims as either "determining that each of the mobile devices is a subscriber to a service associated with the content sharing application" **or**

"determining that each of the mobile devices is a subscriber to a second mobile device telecommunication network".

LaVallee, para.0035, teaches a user must log onto a content sharing system with a user name and password. The system either authenticates the user or it doesn't; a user that does not provide the correct user name and password can not access the content sharing system. Since the system does authentication this is a form of determination of a user. Inherently, the user must be a subscriber in order to have the rights and/or username and password to access the content sharing system. This methodology can be applied to mobile devices since the mobile devices are merely users in the system and Dunko, Fig.1-3, teaches the use of mobile devices and wireless network. Therefore, LaValle's methodology of authentication of users to a content sharing system applied to a system of mobile devices within a wireless network can be applied to teach, "determining that each of the mobile devices is one of a subscriber to a service associated with the content sharing application " or "determines that the recipient device is one of a subscriber to a service associated with the content sharing system ".

Conclusion

Examiner's Note: Examiner has cited particular columns and line numbers in the references as applied to the claims above for the convenience of the applicant. Although the specified citations are representative of the teachings of the art and are applied to the specific limitations within the individual claim, other passages and figures may apply as well. It is respectfully requested from the applicant in preparing

responses, to fully consider the references in its entirety as potentially teaching of all or part of the claimed invention.

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See PTO-892.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Backhean Tiv whose telephone number is (571) 272-5654. The examiner can normally be reached on M-F 6:30-3:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Follansbee can be reached on (571) 272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

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Examiner, Art Unit 2451

3/4/09

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Supervisory Patent Examiner, Art Unit 2451